

Notice of Allowability

Application No.

10/617,461

Examiner

Rodney H. Bonck

Applicant(s)

MATTHES ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received July 10, 2006.
2. ☒ The allowed claim(s) is/are 1,4-7,10-14 and 18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

The following action is in response to the amendment received July 10, 2006.

Allowable Subject Matter

Claims 1, 4-7, 10-14, and 18 are allowed. In accordance with MPEP 608.01(n)IV, claims 1, 4-7, 10-12, 18, 13, and 14 will be renumbered for printing as claims 1-11, respectively.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious a disk as defined in claim 1, particularly wherein the at least one raised area is compressed upon an engagement of the friction lining whereby the at least one raised area is displaced to be in essentially the same plane as the essentially planar surface and wherein the raised surface area is surrounded by one or more grooves. Regarding claim 1, the closest prior art is believed to be the Loeffler('360) patent where raised areas are deflected to be coplanar with the friction surface upon engagement. In Loeffler, however, it is deflection of the core plate that permits the displacement of the raised areas rather than compression of the friction lining.

The art of record also fails to show or teach the disk as defined in claim 13, wherein the surface of the friction lining increases in thickness in the radial direction and wherein the friction lining is compressed during engagement whereby the friction lining

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is substantially parallel to the core plate. Wemp('109), Gannon('611) and Kraft('086) are seen as the closest prior art. In Wemp, the clutch disk has increasing thickness in the radial direction and the surface of the friction lining becomes parallel to the core plate after engagement, but this is due to deflection of the core plate rather than compression of the friction material. In Gannon, the clutch disk has increasing thickness in the radial direction but the surface of the friction lining does not become parallel to the core plate after engagement, and there is no compression of the friction lining. In Kraft, the friction lining is apparently compressible, but the surface of the lining does not increase in the radial direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

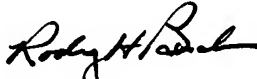
Applicants' arguments filed July 10, 2006 have been considered and are persuasive. In view of applicants' arguments and for the reasons set forth above, the claims are deemed allowable over the art of record. Accordingly, the rejection of claims 13 and 14 based on 35 USC 103(a) is withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571)

272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Rodney H. Bonck
Primary Examiner
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rhb
July 20, 2006